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Cc: [BURKHOLDER Kurt](#)
Subject: RE: Draft EPA Response to November 17, 2009 FS Team Meeting
Date: 12/18/2009 08:41 AM

Chip & Eric,

Here are DEQ's comments on the PH FS process contained in your 12/7 e-mail. DEQ was involved & provided you comments thru your development of the FS process. We appreciate you've been receptive to our comments, & have apparently considered all..., & incorporated many of our comments. Overall we're supportive of the process you've developed, but we have strong concerns about certain attachments to your 12/7 e-mail. In order to make our comments as clear & useful as possible to you..., we provide separate comments to the individual attachments of your 12/7 e-mail.

1) **Attachment 1- "EPA Comments on the Remedial Action Alternatives Development....December 7, 2009"**

-Comment 1- "Site Wide Technology Identification....Screening"- As I said in my 12/4 e-mail to you..., once you identify & then screen technologies (& process options) for technical implementability..., the technologies retained thru the screening should be assembled into remedial action alternatives (RAAs)..., & those RAAs should be screened for effectiveness, implementability, & cost. This initial screening (based on effectiveness, implementability, & cost) should be reserved for screening RAAs, not technologies or process options. Chip & Eric, this is 2nd time I've offered this comment. You passed on it the 1st time. I don't think my comment points out a fatal flaw, so I'm OK with you passing on it again..., I just wanted to give you my perspective.

-Comment 2- Typo- 1 minor typo in section titled "*Monitored Natural Recovery*" 3rd paragraph, 2nd sentence, replace the word "thee" with "the".

2) **Attachment 2- "Table 1- Recommended Remedial Action Alternative....Process"**

-Comment 1- Step 5- The 2nd sentence of the "*Description*" text for Step 5 resolves my main comment for Attachment. However, the "*Description*" then seems to be repeated in Steps 6 & 7. Is Step 5 really needed?

3) **Attachment 3- "Table 2- Example ScreeningOptions"**- No comments.

4) **Attachment 4- "Table 3 Identification of Chemical Specific ARARs"**- As we discussed in the 12/16 TCT mtg, DEQ has significant concerns with EPA's position on ARARs..., particularly on "*Safe Drinking Water Act MCLs*". We are currently reviewing EPA's 12/11/09 draft ARARs letter to the LWG. We will defer our comments on Table 3 to our review of EPA's draft letter to the LWG.

5) **Attachment 5- "Attachment 1- Proposed Risk Management Principles for the PH FS"**- No comments.

6) **Attachment 6- "Attachment 2- Application of WQs & MCLs in the PH FS"**- As we discussed in the 12/16 TCT mtg, DEQ has significant concerns with EPA's position on ARARs..., particularly on "*Safe Drinking Water Act MCLs*". We are currently reviewing EPA's 12/11/09 draft ARARs letter to the LWG. We will defer our comments on "*Attachment 2*" to

our review of EPA's draft letter to the LWG.

7) **Attachment 7- "Attachment 3- EPA Guidance on Identification of Hot Spots of Contamination & Principle Threat Material"**

-Comment 1- Hot Spots Defined by High Concentration- Under Oregon's Environmental Cleanup Law, hot spots of contamination defined by high concentration are more than just the 10-4 risk level stated in the referenced text. High concentration hot spots are also defined by 10x the acceptable risk level for human exposure to each individual noncarcinogen & 10x the acceptable risk level for exposure of individual ecological receptors or populations of ecological receptors to each individual hazardous substance.

-Comment 2- Typo- 1 minor typo in last sentence of 3rd paragraph, replace the word "will" with "with".

8) **Attachment 8- "Attachment 3- Long Term Monitoring Cost Considerations"**- No comments.

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Subject: Draft EPA Response to November 17, 2009 FS Team Meeting

Attached is a draft response to the LWG's November 17, 2009 presentation. In addition to this document, I am continuing to work with Burt and Dana on the development of the initial risk assessment comments.

This document is based on our two FS team meetings, comments received from Sheila, Jim Anderson and Kristine, meeting notes from Chip and Ron, Brad's FS process write-up, the risk management principles I developed some time ago, some thinking about application of water quality criteria and MCLs for the capping evaluation, notes about the application of water quality criteria taken from the GASCO water quality certification and Karl's monitoring cost write-up.

Please provide comments on this document by the end of the week. In addition, I am interested in receiving comments on the FS process (FS Process Overview comments on pages 1 - 3 and Table 1) by COB tomorrow. I would like to walk through the FS process with the LWG during Wednesday afternoon's management meeting and it would be nice to know if we are on the right track.

The process I have presented generally follows Brad's write-up, comments from Jim and Sheila and the CERCLA with the following exception - once we screen technologies and process options on a site-wide basis considering effectiveness and technical implementability consistent with the steps

outlined in Figure 4-4 of the CERCLA RI/FS guidance, we take the retained process options and use them to develop an appropriate range of SMA specific remedial action alternatives and screen them against effectiveness, implementability and cost. This is slightly different from Brad's write-up and the CERCLA guidance which includes an additional step of screening process options based on effectiveness, implementability and cost prior to the development and screening of remedial action alternatives. This represents a short-cut that I think is appropriate given the number of AOPCs/SMAs we are dealing with and does not reflect a meaningful departure from the guidance.

If any one has any questions, please contact me directly. I will be in a meeting tomorrow afternoon (1 - 4) but am otherwise available until Wednesday afternoon.

Thanks, Eric